

# BIRCH, STEWART, KOLASCH & BIRCH, LLP

TERRELL C. BIRCH  
RAYMOND C. STEWART  
JOSEPH A. KOLASCH  
JAMES M. SLATTERY  
MICHAEL K. MUTTER  
CHARLES GORENSTEIN  
GERALD M. MURPHY, JR.  
LEONARD R. SVENSSON  
ANDREW D. MEIKLE  
MARC S. WEINER  
JOE MCKINNEY MUNCY  
ROBERT J. KENNEY  
JOHN W. BAILEY  
MARK J. NUELL, PH.D.  
JAMES T. ELLER, JR.  
D. RICHARD ANDERSON  
THOMAS M. SMALL\*  
ROBERT A. SELDON\*  
JOHN A. SCILLIERI\*  
SANFORD ASTOR\*

OF COUNSEL:  
HERBERT M. BIRCH (1905-1996)  
BERNARD L. SWEENEY\*  
ELLIOT A. GOLDBERG\*  
WILLIAM L. GATES\*  
EDWARD H. VALANCE  
RUPERT J. BRADY (RET.)\*  
F. PRINCE BUTLER  
FRED S. WHISENHUNT (RET.)  
JAMES W. HELLWEGE  
QUENTIN R. "Rick" CORRIE  
ROBERT F. GNUSE  
DAVID R. MURPHY  
PHILIP K. YU\*  
ROBERT M. ASHEN\*  
MICHAEL R. CAMMARATA

\*ADMITTED TO A BAR OTHER THAN VA.

## INTELLECTUAL PROPERTY LAW 8110 GATEHOUSE ROAD SUITE 500 EAST FALLS CHURCH, VA 22042-1210 USA

(703) 205-8000  
FAX: (703) 205-8050  
(703) 698-8590 (G IV)  
e-mail: mailroom@bskb.com  
web: http://www.bskb.com

## CALIFORNIA OFFICES: COSTA MESA, CALIFORNIA LOS ANGELES, CALIFORNIA

SCOTT L. LOWE  
PAUL C. LEWIS  
RICHARD J. GALLAGHER  
MARYANNE ARMSTRONG, PH.D.  
KECIA J. REYNOLDS  
KALPANA REDDY  
ESTHER H. CHONG  
CATHERINE M. VOISINET\*  
EUGENE T. PEREZ  
CAROLYN T. BAUMGARDNER\*  
MARTIN R. GEISLER\*  
J. ALISON GRABELL\*  
T. BENJAMIN SCHROEDER, PH.D.  
PERCY L. SQUARE  
CLINT A. GERDINE  
CRAIG A. McROBBIE

REG. PATENT AGENTS:  
FREDERICK R. HANREN  
MAKI HATSUMI  
GARTH M. DAHLEN, PH.D.  
ROBERT E. GOOZNER, PH.D.  
KRISTI L. RUPERT, PH.D.  
MATTHEW T. SHANLEY  
SUSAN W. GORMAN, PH.D.  
ROBERT W. DOWNS  
CHAD J. BILLINGS  
CHRISTINE V. CASTILLO  
CARL T. THOMSEN  
SAM BHATTACHARYA  
BRADLEY C. FACH

19587 U.S. PRO  
07/08/03  


Date: July 8, 2003

Docket No.: 0397-0465P

MS PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a  continuation  divisional  
 continuation-in-part application under 37 C.F.R. § 1.53(b) of  
pending prior Application No. 09/539,385 filed on March 31, 2000,  
the entire contents of which are hereby incorporated by  
reference,  
by

Hideaki FUJITA, Yorishige ISHII, Toshihiro TAMURA, Yukio KURATA

for

OPTICAL DEVICES MADE WITH VACUUM-BAKED FILMS

1.  Enclosed is an application consisting of specification, claims, declaration and drawings/photographs (if applicable).
2.  The filing fee has been calculated as follows:

15915 U.S. PTO  
07/08/03

Docket No. 0397-0465P

		LARGE ENTITY		SMALL ENTITY	
BASIC FEE		\$750.00		\$375.00	
NUMBER FILED		NUMBER EXTRA		RATE FEE	
<b>TOTAL CLAIMS</b>		15-20 = 0		x 84 = \$0.00	
<b>INDEPENDENT CLAIMS</b>		2-3 = 0		x 84 = \$0.00	
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$280.00		+ \$140.00
		<b>TOTAL</b>		\$1,030.00	
				\$0.00	

3.  A check in the amount of \$1,030.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4.  Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. Amend the specification by inserting before the first line thereof the following:
  - a.  --This application is a  continuation  divisional  continuation-in-part of co-pending Application No. 09/539,385, filed on March 31, 2000, the entire contents of which are hereby incorporated by reference and for which priority is claimed under 35 U.S.C. § 120; and this application claims priority of Application Nos. Hei 11(1999)-195388 and Hei 11(1999)-090528 filed in Japan on July 9, 1999, and March 31, 1999, respectively under 35 U.S.C. § 119.--
  - b.  --This application is a  continuation  divisional  continuation-in-part of co-pending Application No. 09/539,385, filed on March 31, 2000 and for which priority is claimed under 35 U.S.C. § 120. Application No. 09/539,385 is the national phase of PCT International Application No. PCT/\_\_\_\_/\_\_\_\_ filed on \_\_\_\_ under 35 U.S.C. § 371. The entire contents of each of the above-identified applications are hereby incorporated by reference. This application also claims priority of Application No. \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_ under 35 U.S.C. § 119.--

6.  Enclosed is/are eight (8) sheet(s) of formal drawings and/or photographs.

7a.  A statement claiming small entity status was filed in prior Application No. 09/539,385 on \_\_\_\_\_. See the attached copy of the statement claiming small entity status.

7b.  The current application qualifies for small entity status.

8.  The prior application is assigned to Sharp Kabushiki Kaisha.

9.  A Preliminary Amendment is enclosed.

10a.  Priority of Application No(s). Hei 11(1999)-195388 and Hei 11(1999)-090528 filed in Japan on July 9, 1999, and March 31, 1999, respectively is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on June 14, 2000.

10b.  Priority of International Appln. \_\_\_\_ filed on \_\_\_\_ under the Patent Cooperation Treaty and \_\_\_\_ Application No. \_\_\_\_ filed in \_\_\_\_ on \_\_\_\_ under 35 U.S.C. § 120 and/or § 119 are hereby reclaimed.

11.  An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.

12.  Address all future communications to:  
  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000  
or  
Customer No. 002292

13.  An extension of time for \_\_\_\_ ( ) month(s) until \_\_\_\_ has been submitted in parent Application No. 09/539,385 in order to establish co-pendency with the present application.

14.  Also enclosed herewith is the following:  
  
\_\_\_\_\_  
  
\_\_\_\_\_

Docket No. 0397-0465P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Raymond C. Stewart, #21,066

RG  
RCS/RG:gml  
0397-0465P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachment(s)

(Rev. 04/30/03)